

## UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

DWAYNE FOSTER

Date of Original Judgment: 04/15/2009

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Case No: 2:8cr551-1

USM No: 289030-050

Thomas Ashley, Esq

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 04/15/2009 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 10/02/2012

Effective Date: \_\_\_\_\_  
(if different from order date)


Judge's signature

DENNIS M. CAVANAUGH, U.S.D.J.

Printed name and title